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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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FREE CONFERENCE CALL HOLDINGS,  
INC., a Georgia corporation, and FREE  
CONFERENCING CORPORATION., a  
Nevada corporation,

Plaintiffs,

v.

POWERHOUSE COMMUNICATIONS,  
LLC, a Utah limited liability company, and  
DARIN ROHEAD, an individual,

Defendants.

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POWERHOUSE COMMUNICATIONS,  
LLC, a Utah limited liability company, and  
DARIN ROHEAD, an individual,

Counterclaimants,

v.

FREE CONFERENCE CALL HOLDINGS,  
INC., a Georgia corporation; FREE  
CONFERENCING CORP., a Nevada  
corporation; and DAVID ERICKSON, an  
individual,

Counterclaim Defendants.

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**MEMORANDUM DECISION ORDER  
GRANTING IN PART AND  
DENYING IN PART  
[99] MOTION TO COMPEL  
AND VACATING HEARING**

Civil No. 2:07-CV-893-CW

Honorable Clark Waddoups

Magistrate Judge David Nuffer

Having considered the extensive materials submitted by the parties on Defendants' Motion to Compel Discovery<sup>1</sup>, and having had the benefit of discussion with counsel today,<sup>2</sup>

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<sup>1</sup> Docket no. 99, filed October 14, 2009.

<sup>2</sup> Docket no. 132, filed December 3, 2009.

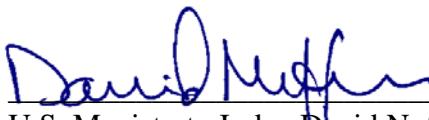
**ORDER**

IT IS HEREBY ORDERED that

- a. the motion to compel is GRANTED IN PART AND DENIED IN PART as follows;
- b. Free Conferencing Corporation (FC) shall produce documents and respond during its resumed Rule 30(b)(6) deposition to questions concerning the contracts FC entered with incumbent local exchange carriers (ILECs) and the rates specified in those contracts in the period January 1, 2004– September 2007;
- c. FC shall complete its Rule 30(b)( 6) deposition after the ordered materials have been produced within the seven hours allotted for the deposition;
- d. the hearing set Friday December 4, 2009, at 1:00 p.m. is VACATED;
- e. no other relief is granted on the motion. The other subjects on which inquiry was sought are too remote from the issues in this case; and
- f. no expenses are awarded on this motion.

DATED this 3rd day of December 2009.

**BY THE COURT:**



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U.S. Magistrate Judge David Nuffer